

BACKGROUND OF OUTDOOR ADVERTISING CONTROLS

National interest in controlling outdoor advertising first appeared in 1956, the year that Congress authorized the creation of the Interstate System of Highways. Public opinion rose sharply concerning the need to control advertising on the Interstate Network and in 1958 Congress took action by providing a voluntary program under which States could enter into agreement with the Federal Government to control outdoor advertising. States that entered into a program that controlled outdoor advertising were eligible for bonus Federal-aid payments. North Carolina was among the twenty-five States that chose not to voluntarily control outdoor advertising.

In 1965 Congress extended the outdoor advertising control to include the Federal-aid Primary System. The Highway Beautification Act of 1965, Public Law 89-285, abandoned the voluntary bonus type program and required all States to make provisions for effective control of outdoor advertising within 660 feet of the right of way or lose ten percent of their Federal-aid Highway Funds.

As a result of the Highway Beautification Act of 1965, the 1967 North Carolina General Assembly enacted the "Outdoor Advertising Control Act," Article 11, General Statute 136-126 through 136-140. General Statute 136-127, Declaration of Policy, states: "The General Assembly hereby finds and declares that outdoor advertising is a legitimate commercial use of private property adjacent to roads and highways but that the erection and maintenance of outdoor advertising signs and devices in areas in the vicinity of the right of way of the Interstate and Primary highways within the State should be controlled and regulated in order to promote the safety, health, welfare and convenience and enjoyment of travel on and protection of the public investment in highways within the State, to prevent unreasonable distraction of operators of motor vehicles and to prevent interference with the effectiveness of traffic regulations and to promote safety on the highways, to attract tourists